

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DELPHIA J. WARREN,

Plaintiff,

-vs-

No. 04-CV-418 DRH

**JO ANNE B. BARNHART,
Commissioner of Social Security,**

Defendant.

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This action came to hearing before the Court on a Report and Recommendation from United States Magistrate Judge Donald G. Wilkerson.

IT IS ORDERED AND ADJUDGED that the Report is adopted in its entirety. The decision of the Commissioner denying Plaintiff's application for SSI is **REVERSED** and **REMANDED** back to the agency for further review only with respect to whether the Plaintiff meets Listing 3.02 and whether the Commissioner has met his/her burden at Step 5 of the sequential evaluation followed to determine whether Plaintiff has met her burden of establishing disability.

NORBERT G. JAWORSKI, CLERK

September 29, 2005.

By: s/Patricia Brown
Deputy Clerk

APPROVED:/s/ David RHerndon
U.S. DISTRICT JUDGE